

**Property Referenced:  
Tax Map 12, Lots 16-14**

## **ZONING BOARD OF ADJUSTMENT**

*RE: PUBLIC HEARING on a petition submitted by Valerie Shelton, Appledore Real Estate, Inc., Newmarket, New Hampshire, on behalf of Mildred F. Penhale Rev Trust, Durham, New Hampshire for an APPLICATION FOR VARIANCES from Article IX, Sections 175-29(D), 175-30(D)(1) and 175-30(D)(3)(c&d); Article XII, Sections 175-40(E), 175-54 and 175-55(B); Article XIV, Sections 175-71(A)(5&6) and 175-75.1(A.1, 2 & 5); and Article XXII, Section 175-120 of the Zoning Ordinance to permit the construction of an attached one and one-half story, 26' x 36' addition to a legally non-conforming dwelling within the shoreland and sideyard setbacks. The property involved is shown on Tax Map 12, Lot 16-14 is located at 15 Edgerly Garrison Road, and is in the Residence C Zoning District.*

### DECISION OF THE BOARD

After review of the pertinent sections of the Zoning Ordinance of the Town of Durham, and after full consideration of the evidence submitted by Valerie Shelton and testimony given at a Public Hearing on May 13, 2014 a motion was made and seconded:

*that the Zoning Board of Adjustment approve a petition submitted by Valerie Shelton, Appledore Real Estate, Inc., Newmarket, New Hampshire, on behalf of Mildred F. Penhale Rev Trust, Durham, New Hampshire for an APPLICATION FOR VARIANCES from Article IX, Sections 175-29(D), 175-30(D)(1) and 175-30(D)(3)(c&d); Article XII, Sections 175-40(E), 175-54 and 175-55(B); Article XIV, Sections 175-71(A)(5&6) and 175-75.1(A.1, 2 & 5); and Article XXII, Section 175-120 of the Zoning Ordinance to permit the construction of an attached one and one-half story, 26' x 36' addition to a legally non-conforming dwelling within the shoreland and sideyard setbacks.*

The motion PASSED on a vote of 5-0-0 and the application for variances was granted.

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Date

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Sean Starkey, Chair  
Durham Zoning Board of Adjustment

**NOTE:** Any person affected by this decision has the right to appeal this decision. If you wish to appeal, you must act within thirty (30) calendar days from the date of the hearing. The necessary first step before any appeal may be taken to the courts is to apply to the Zoning Board of Adjustment for a rehearing. The motion for rehearing must set forth all the grounds upon which you will base your appeal. See New Hampshire Statutes, RSA Chapter 677, for details.

Any questions should be directed to Tom Johnson, Zoning Administrator/Code Enforcement Officer.